

## **EXHIBIT 28**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COMMERCIAL RISK REINSURANCE  
COMPANY LIMITED and  
COMMERCIAL RISK RE-INSURANCE COMPANY,

Plaintiffs,

— against —

SECURITY INSURANCE COMPANY OF  
HARTFORD (for itself, and as  
Successor in Interest to The Fire and  
Casualty Insurance Company of  
Connecticut, The Connecticut  
Indemnity Company and Employee  
Benefits Insurance Company),

Defendant.

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07 Civ. 02772 (VM)

ORDER

**VICTOR MARRERO, United States District Judge.**

Plaintiffs Commercial Risk Reinsurance Company Limited and Commercial Risk Re-Insurance Company (collectively "Commercial Risk"), moved by order to show cause on April 5, 2007 for a preliminary injunction to enjoin defendants from attempting to enforce an arbitration award which permits defendant Security Insurance Company of Hartford ("SICH") to draw down on a letter of credit posted by Commercial Risk during recent arbitration proceedings.


The Court received and reviewed the parties' papers prior to a hearing scheduled for April 9, 2007. After hearing arguments from both sides, having fully reviewed the parties' briefs and supporting papers, and giving due consideration to the arguments raised by both sides, for the reasons set forth

on the record at the hearing on that day, the Court finds that Commercial Risk has failed to satisfy any of the standards that warrant granting a preliminary injunction. Accordingly, the Court denies Commercial Risk's motion.

The parties are directed to confer and develop a proposed case management plan to submit to the Court for review and approval in connection with any further proceedings contemplated before this Court on this matter.

**SO ORDERED.**

DATED: New York, New York  
10 April 2007



Victor Marrero  
U.S.D.J.